

**Affidavit Of Special Agent Eric LaForte**

I, Eric LaForte, on oath depose and state that:

1. I submitted an affidavit in this matter on October 7, 2004, based on my personal observations and information reported to me by other agents and by officers of Customs and Border Protection.

2. I interviewed Shawn Winbush after he arrived in Boston on a flight from Jamaica on the night of October 6, 2004.

3. Winbush consented to have his abdomen x-rayed and signed a consent form at the airport. However, as the time to leave for the hospital approached, Winbush became agitated and objected to going. It was my understanding that he was objecting because he did not want to go to the hospital.

4. Customs and Border Protection Officer Craig McPherson contacted the Port Director for authorization to transport Winbush. I believed at the time that he was obtaining authorization for an involuntary x-ray. I was not aware that CBP officers contact the Port Director for authority to transport passengers, whether it is for x-ray or monitored bowel movement, voluntary or involuntary.

5. I now believe that I was mistaken when I previously averred that Winbush had withdrawn his consent for x-ray.



Eric LaForte  
Special Agent, ICE